IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.6538 of 2008
MD.NASIM
Versus
THE STATE OF BIHAR
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02. 07.05.2008 Heard learned counsel for the petitioner and the learned counsel for the State.

Petitioner is an accused for offences punishable under Sections 461 and 379 of the Indian Penal Code

Learned counsel for the petitioner submits that petitioner is not named in the F I R nor anything has been recovered from his possession. Learned for the petitioner further submits that petitioner has been implicated on the basis of confessional statement of co-accused Arbind Kumar Bishwas and the allegedly stolen motorcycle had been recovered from the possession of the said co-accused, namely Arbind Kumar Bishwas, but the said co-accused has been enlarged on bail on the orders of this court dated 05.12.2007 passed in Cr.Misc.No.43438 of 2007. Learned counsel for the petitioner also avers that the petitioner is in custody since 06.05.2007 although he has got no criminal antecedents.

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In the aforesaid facts and circumstances, this petition is allowed. Let petitioner, namely Md. Nasim, be released on bail on furnishing bail bonds of Rs.10,000.00 (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri S.P.Mishra, J.M.Ist Class, Katihar in connection with Katihar Town P.S.Case No.135 of 2007.

sunil **(S.N.Hussain,J.)**